

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INITIAL STATUS REPORT
September 28, 2005

SWARTWOOD, C.M.J.

The following is an Initial Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Botchway has sent a discovery request letter to the Government and the Government shall respond to that letter by October 11, 2005.

2. Further Status Conference

A further status conference shall be held in this case on October 17, 2005, at 3:30 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and with the assent of counsel for Mr. Botchway, I am excluding from the Speedy Trial Act,

the period from August 30, 2005 (date of expiration of prior order of excludable time) through October 17, 2005 (date of a status conference at which discovery issues will have been briefed and will be discussed). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Monday, December 26, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE